

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

*IN RE* TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL No. 1570 (RCC)

THOMAS E. BURNETT, SR., *et al.*,

Plaintiffs,

v.

C.A. No. 03 CV 9849 (RCC)

AL BARAKA INVESTMENT AND DEVELOPMENT  
CORPORATION, *et al.*,

Defendants.

**DECLARATION OF JAMAL AHMAD MOSTAFA KHALIFA (D92)**

I, Jamal Ahmad Mostafa Khalifa, being duly sworn, declare and state as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below of my own personal knowledge.
2. I have been informed by my attorney that I am listed as a defendant (D92) in the above-captioned action. I am submitting this declaration in support of my Motion to Dismiss for lack of personal jurisdiction, failure to state a claim upon which relief can be granted and improper service of process.
3. I was born on February 1, 1957 in Madinah, Saudi Arabia, and have lived in Saudi Arabia most of my life. I have always been a citizen of the Kingdom of Saudi Arabia.
4. I currently manage a restaurant business in Jeddah, which I have run since the late-1990's.
5. I have only been to the United States twice, some times in eighty's and in 1994. I

own no real property in the United States. I also have no bank accounts, and have no investments in the United States. I do not conduct any personal business with any businesses in the United States.

6. I do not subscribe to or read either the *International Herald Tribune* or the *Al Quds al Arabi*. The latter publication, to my knowledge, is banned in the Kingdom of Saudi Arabia.


7. I have never supported the loss of innocent life and believe that there is no justification for the tragic attacks of September 11, 2001. I have never supported any person or organization that I have known to participate in terrorist activities. At no time did I ever knowingly participate in, or support in any way, terrorist activities, nor was anyone ever authorized by me, explicitly or implicitly, to engage in such activities.

8. The only specific allegations against me in the Third Amended Complaint in ¶¶189, 190, 234, 240, 254, and 324 contain numerous factual errors and incorrect associations. Taken in their totality, all the allegations about me in the Third Amended Complaint portraying me as conducting business in the US and being tied, directly or indirectly, to al-Qaeda are false. I have no associations, past or present, with the Saudi bin Laden Group.

9. I also deny having any knowledge of any terrorist activities as alleged in ¶¶ 28 of Plaintiffs' More Definite Statement as to Defendant Yousef Abdul Latif Jameel (Mar. 16, 2004)..

10. I can read and understand English.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
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Jamal Khalifa

Executed on the 8 day of Apr., 2004.